

110TH CONGRESS  
1ST SESSION

# S. 2230

To amend title VIII of the Public Health Service Act to expand the nurse student loan program, to establish grant programs to address the nursing shortage, to amend title VII of the Higher Education Act of 1965 to provide for a nurse faculty pilot project, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 25, 2007

Mr. BIDEN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend title VIII of the Public Health Service Act to expand the nurse student loan program, to establish grant programs to address the nursing shortage, to amend title VII of the Higher Education Act of 1965 to provide for a nurse faculty pilot project, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Nursing Education  
5 Opportunities Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The American Hospital Association reported  
4 in July 2007 that United States hospitals need ap-  
5 proximately 116,000 registered nurses to fill vacant  
6 positions nationwide.

7 (2) To address the shortage of qualified nurses,  
8 schools of nursing have developed accelerated, sec-  
9 ond-baccalaureate degree programs in nursing. In  
10 2005, these programs graduated 3,769 students.  
11 The number of accelerated degree graduates in 2006  
12 was 5,236. This is an additional 1,467 nursing grad-  
13 uates in 1 year.

14 (3) Despite the nurse shortage and efforts to  
15 increase the pool of qualified nurses, schools of nurs-  
16 ing struggle to increase student capacity. According  
17 to the American Association of Colleges of Nursing  
18 (referred to in this Act as the “AACN”), United  
19 States nursing schools turned away nearly 43,000  
20 qualified applicants in 2006 primarily due to an in-  
21 sufficient number of faculty.

22 (4) The AACN reported in July 2006, a total  
23 of 637 faculty vacancies at 329 nursing schools with  
24 baccalaureate or graduate programs, or both, across  
25 the Nation. Besides the vacancies, schools cited the  
26 need to create an additional 55 faculty positions to

1 accommodate student demand. Most of the vacancies  
2 (53.7 percent) were faculty positions requiring a  
3 doctoral degree.

4 (5) In 2007, the Association of Academic  
5 Health Centers surveyed chief executive officers  
6 (CEOs) from academic health centers regarding fac-  
7 ulty shortages across various health professions. The  
8 CEOs rated the nursing faculty shortage as the  
9 most severe of all health professions with 81 percent  
10 noting the nursing faculty shortage as a problem.

11 (6) The average ages of doctorally-prepared  
12 nurse faculty holding the ranks of professor, asso-  
13 ciate professor, and assistant professor are 58.6,  
14 55.8, and 51.6 years, respectively. Considering the  
15 average age of nurse faculty at retirement is 62.5  
16 years, a wave of nurse faculty retirements is ex-  
17 pected in the next decade.

18 (7) Master's and doctoral programs in nursing  
19 are not producing a large enough pool of potential  
20 nurse educators to meet the demand. In 2006, the  
21 AACN found that graduations from doctoral nursing  
22 programs were up by only 1.4 percent from the pre-  
23 vious academic year.

24 (8) Nurses are vital to the Nation's health care  
25 delivery system. Due to the nurse shortage, patient

1 safety and quality of care are at risk. Given the find-  
 2 ings described in paragraphs (1) through (7), meas-  
 3 ures must be taken to address the nurse shortage  
 4 and nursing faculty shortage.

5 **SEC. 3. NURSING STUDENT LOAN PROGRAM.**

6 Title VIII of the Public Health Service Act (42  
 7 U.S.C. 296 et seq.) is amended—

8 (1) in section 835(b)(4), by inserting “(includ-  
 9 ing a student in an accelerated nursing degree pro-  
 10 gram who is pursuing a second baccalaureate degree  
 11 or a master’s degree as an entry level nursing de-  
 12 gree)” after “graduate degree in nursing”; and

13 (2) in section 836—

14 (A) in subsection (a)—

15 (i) by striking “\$2,500” and inserting  
 16 “\$4,400”;

17 (ii) by striking “\$4,000” and insert-  
 18 ing “\$7,000”; and

19 (iii) by striking “\$13,000” and insert-  
 20 ing “\$22,900”; and

21 (B) in subsection (b)—

22 (i) in paragraph (1), by inserting  
 23 “(including a student in an accelerated  
 24 nursing degree program who is pursuing a  
 25 second baccalaureate degree or a master’s

1 degree as an entry level nursing degree)”  
 2 after “graduate degree in nursing”; and  
 3 (ii) in paragraph (2), by inserting  
 4 “(including a student in an accelerated  
 5 nursing degree program who is pursuing a  
 6 second baccalaureate degree)” after  
 7 “equivalent degree”.

8 **SEC. 4. ACCELERATED NURSING DEGREE PROGRAMS.**

9 Section 801(3) of the Public Health Service Act (42  
 10 U.S.C. 296(3)) is amended by inserting “(including an ac-  
 11 celerated nursing degree program)” before “and includ-  
 12 ing”.

13 **SEC. 5. ADVANCED EDUCATION NURSING GRANTS.**

14 Section 811(f)(2) of the Public Health Service Act  
 15 (42 U.S.C. 296j(f)(2)) is amended by striking the period  
 16 at the end and inserting “, except in the case of a nurse  
 17 faculty shortage, the Secretary may, in the Secretary’s dis-  
 18 cretion, obligate more than 10 percent of such traineeships  
 19 for individuals in doctoral degree programs.”.

20 **SEC. 6. GRANT PROGRAM FOR DOCTORAL NURSING PRO-**  
 21 **GRAMS.**

22 Part D of title VIII of the Public Health Service Act  
 23 (42 U.S.C. 296p et seq.) is amended by adding at the end  
 24 the following:

1 **“SEC. 832. GRANT PROGRAM FOR DOCTORAL NURSING**  
 2 **PROGRAMS.**

3 “(a) IN GENERAL.—The Secretary shall award  
 4 grants to eligible entities to enable the eligible entities to  
 5 establish doctoral nursing degree programs.

6 “(b) ELIGIBLE ENTITY.—In this section, the term  
 7 ‘eligible entity’ means an entity that is 1 of the ‘eligible  
 8 entities’ as such term is defined in section 801.

9 “(c) APPLICATION.—An eligible entity that desires a  
 10 grant under this section shall submit an application to the  
 11 Secretary at such time, in such manner, and accompanied  
 12 by such information as the Secretary may require.

13 “(d) SELECTION OF GRANT RECIPIENTS.—Not later  
 14 than 6 months after the date of enactment of the Nursing  
 15 Education Opportunities Act, the Secretary shall establish  
 16 requirements and procedures for the administration of  
 17 grants under this section and procedures for selecting  
 18 grant recipients. In awarding grants under this section,  
 19 the Secretary shall consider the following:

20 “(1) DOCTORAL NURSING PROGRAM DISTRIBUTION.—Providing priority to eligible entities located  
 21 in States in which there are no doctoral nursing de-  
 22 gree programs.

24 “(2) GEOGRAPHIC DISTRIBUTION.—Providing  
 25 an equitable geographic distribution of such grants.

1           “(3) RURAL AND URBAN AREAS.—Distributing  
2           such grants to rural and urban areas.

3           “(4) PRIOR EXPERIENCE OR EXCEPTIONAL  
4           PROGRAMS.—Whether the eligible entity has dem-  
5           onstrated—

6                   “(A) prior experience in, or exceptional  
7                   programs for, the preparation of baccalaureate  
8                   prepared nurses or master’s prepared nurses;  
9                   and

10                   “(B) an interest in establishing a doctoral  
11                   nursing degree program.

12           “(e) GRANT AMOUNT.—Each grant awarded under  
13           this section shall be equal to not more than \$2,000,000.

14           “(f) GRANT DURATION.—A grant awarded under this  
15           section shall be for a period of not more than 5 years.

16           “(g) USE OF FUNDS.—An eligible entity that receives  
17           a grant under this section shall use the grant funds to  
18           establish a doctoral nursing degree program, including—

19                   “(1) hiring administrators, faculty, and staff;

20                   “(2) retaining current faculty;

21                   “(3) developing doctoral curriculum;

22                   “(4) repairing and expanding infrastructures;

23                   “(5) purchasing educational equipment;

24                   “(6) developing and enhancing clinical labora-  
25           tories;

1 “(7) recruiting students;

2 “(8) establishing technology infrastructures;

3 and

4 “(9) other investments determined necessary by  
5 the eligible entity for the development of a doctoral  
6 nursing degree program.

7 “(h) AUTHORIZATION OF APPROPRIATIONS.—There  
8 are authorized to be appropriated to carry out this section  
9 not more than \$40,000,000 for fiscal year 2008 and such  
10 sums as may be necessary for each of the 4 succeeding  
11 fiscal years.”.

12 **SEC. 7. DOCTORAL NURSING CONSORTIA PILOT PROJECT.**

13 Part D of title VIII of the Public Health Service Act  
14 (42 U.S.C. 296p et seq.), as amended by section 6, is fur-  
15 ther amended by adding at the end the following:

16 **“SEC. 833. DOCTORAL NURSING CONSORTIA PILOT**  
17 **PROJECT.**

18 “(a) PURPOSE.—The purpose of the pilot project  
19 under this section is to provide grants to partnerships of  
20 eligible entities to establish consortia to enhance and ex-  
21 pand the availability of doctoral nurse faculty and edu-  
22 cation by enabling the partners involved to share doctoral  
23 faculty and programmatic resources so that the nursing  
24 faculty shortage does not further inhibit the preparation  
25 of future nurses or nurse faculty.



1       “(b) IN GENERAL.—The Secretary shall award  
 2 grants to partnerships of eligible entities to enable the  
 3 partnerships to establish doctoral nursing consortia.

4       “(c) DEFINITIONS.—In this section:

5               “(1) DOCTORAL NURSING CONSORTIUM.—The  
 6 term ‘doctoral nursing consortium’ means a partner-  
 7 ship that includes 2 or more of—

8                       “(A) eligible entities within the same  
 9 State;

10                      “(B) eligible entities within different  
 11 States; or

12                      “(C) eligible entities establishing a doctoral  
 13 nursing program.

14               “(2) ELIGIBLE ENTITY.—The term ‘eligible en-  
 15 tity’ has the meaning given the term in section  
 16 832(b).

17       “(d) APPLICATION.—A partnership of eligible entities  
 18 that desires a grant under this section shall submit an  
 19 application to the Secretary at such time, in such manner,  
 20 and accompanied by such information as the Secretary  
 21 may require. Such partnership may apply for a grant  
 22 under this section each year of the pilot project.

23       “(e) SELECTION.—Not later than 6 months after the  
 24 date of enactment of the Nursing Education Opportunities  
 25 Act, the Secretary shall establish requirements and proce-

1 dures for the administration of grants under this section  
2 and procedures for selecting grant recipients.

3 “(f) CONSIDERATION IN MAKING AWARDS.—In  
4 awarding grants under this section, the Secretary shall  
5 consider the following:

6 “(1) PRIOR EXPERIENCE OR EXCEPTIONAL  
7 PROGRAMS.—Eligible entities that have dem-  
8 onstrated prior experience in, or exceptional pro-  
9 grams for, the preparation of—

10 “(A) doctorally prepared nursing faculty  
11 and nursing researchers; and

12 “(B) baccalaureate prepared nurses or  
13 master’s prepared nurses.

14 “(2) GEOGRAPHIC DISTRIBUTION.—Providing  
15 an equitable geographic distribution of such grants.

16 “(3) RURAL AND URBAN AREAS.—Distributing  
17 such grants to rural and urban areas.

18 “(4) NEW GRANTEES.—Awarding grants to eli-  
19 gible entities that have not previously received a  
20 grant under this section.

21 “(g) GRANT AMOUNT.—The Secretary shall deter-  
22 mine the amount of each grant awarded under this section  
23 based on the purpose of this section, which amount shall  
24 not be more than \$500,000.

1       “(h) USE OF FUNDS.—A partnership of eligible enti-  
 2 ties that receives a grant under this section shall use the  
 3 grant funds to establish a doctoral nursing consortium  
 4 that shall share doctoral faculty and programmatic re-  
 5 sources, such as—

6               “(1) establishing technology infrastructures;

7               “(2) developing shared doctoral curriculum;

8               “(3) hiring faculty and staff;

9               “(4) retaining current faculty;

10              “(5) providing travel stipends for nursing fac-  
 11 ulty who agree to teach nursing courses at another  
 12 eligible entity within the doctoral nursing consor-  
 13 tium;

14              “(6) providing scholarships for post-doctoral  
 15 fellows who agree to teach a nursing course within  
 16 the nursing doctoral consortium;

17              “(7) providing collaborative networks for nurs-  
 18 ing research; and

19              “(8) other investments determined necessary by  
 20 the eligible entities for use within the doctoral nurs-  
 21 ing consortium.

22       “(i) GRANT DURATION.—The pilot project under this  
 23 section shall be for a period of not more than 5 years.

24       “(j) AUTHORIZATION OF APPROPRIATIONS.—There  
 25 are authorized to be appropriated to carry out this section

1 not more than \$10,000,000 for fiscal year 2008 and such  
 2 sums as may be necessary for each of the 4 succeeding  
 3 fiscal years.”.

4 **SEC. 8. NURSE FACULTY PILOT PROJECT.**

5 Title VII of the Higher Education Act of 1965 (20  
 6 U.S.C. 1133 et seq.) is amended by adding at the end  
 7 the following:

8 **“PART F—NURSE FACULTY PILOT PROJECT**

9 **“SEC. 781. PURPOSES.**

10 “The purposes of this part are to create a pilot pro-  
 11 gram—

12 “(1) to provide scholarships to qualified nurses  
 13 in pursuit of an advanced degree with the goal of be-  
 14 coming faculty members in an accredited nursing  
 15 program; and

16 “(2) to provide grants to partnerships between  
 17 accredited schools of nursing and hospitals or health  
 18 facilities to fund release time for qualified nurse em-  
 19 ployees, so that those employees can earn a salary  
 20 while obtaining an advanced degree in nursing with  
 21 the goal of becoming nurse faculty.

22 **“SEC. 782. ASSISTANCE AUTHORIZED.**

23 “(a) COMPETITIVE GRANTS AUTHORIZED.—The Sec-  
 24 retary may, on a competitive basis, award grants to, and  
 25 enter into contracts and cooperative agreements with,

1 partnerships composed of an accredited school of nursing  
2 at an institution of higher education and a hospital or  
3 health facility to establish not more than 5 pilot projects  
4 to enable such hospital or health facility to retain its staff  
5 of experienced nurses while providing a mechanism to have  
6 these individuals become, through an accelerated nursing  
7 education program, faculty members of an accredited  
8 school of nursing.

9 “(b) DURATION; EVALUATION AND DISSEMINA-  
10 TION.—

11 “(1) DURATION.—Grants under this part shall  
12 be awarded for a period of 3 to 5 years.

13 “(2) MANDATORY EVALUATION AND DISSEMI-  
14 NATION.—Grants under this part shall be primarily  
15 used for evaluation, and dissemination to other insti-  
16 tutions of higher education, of the information ob-  
17 tained through the activities described in section  
18 781(2).

19 “(c) CONSIDERATIONS IN MAKING AWARDS.—In  
20 awarding grants and entering into contracts and coopera-  
21 tive agreements under this section, the Secretary shall  
22 consider the following:

23 “(1) GEOGRAPHIC DISTRIBUTION.—Providing  
24 an equitable geographic distribution of such grants.

1           “(2) RURAL AND URBAN AREAS.—Distributing  
2           such grants to urban and rural areas.

3           “(3) RANGE AND TYPE OF INSTITUTION.—En-  
4           suring that the activities to be assisted are developed  
5           for a range of types and sizes of institutions of high-  
6           er education.

7           “(4) PRIOR EXPERIENCE OR EXCEPTIONAL  
8           PROGRAMS.—Institutions of higher education with  
9           demonstrated prior experience in providing advanced  
10          nursing education programs to prepare nurses inter-  
11          ested in pursuing a faculty role.

12          “(d) USES OF FUNDS.—Funds made available by  
13          grant, contract, or cooperative agreement under this part  
14          may be used—

15               “(1) to develop a new national demonstration  
16               initiative to align nursing education with the emerg-  
17               ing challenges of healthcare delivery; and

18               “(2) for any 1 or more of the following innova-  
19               tions in educational programs:

20                       “(A) To develop a clinical simulation lab-  
21                       oratory in a hospital, health facility, or accred-  
22                       ited school of nursing.

23                       “(B) To purchase distance learning tech-  
24                       nologies.

1           “(C) To fund release time for qualified  
2           nurses enrolled in the graduate nursing pro-  
3           gram.

4           “(D) To provide for faculty salaries.

5           “(E) To collect and analyze data on edu-  
6           cational outcomes.

7   **“SEC. 783. APPLICATIONS.**

8           “Each partnership desiring to receive a grant, con-  
9   tract, or cooperative agreement under this part shall sub-  
10   mit an application to the Secretary at such time, in such  
11   manner, and accompanied by such information as the Sec-  
12   retary may require. Each application shall include assur-  
13   ances that—

14           “(1) the individuals enrolled in the program will  
15       be qualified nurses in pursuit of a master’s or doc-  
16       toral degree in nursing and have a contractual obli-  
17       gation with the hospital or health facility that is in  
18       partnership with the institution of higher education;

19           “(2) the hospital or health facility of employ-  
20       ment would be the clinical site for the accredited  
21       school of nursing program;

22           “(3) individuals will also maintain their employ-  
23       ment on a part time basis to the hospital or health  
24       facility that allowed them to participate in the pro-  
25       gram, and will receive an income from the hospital

1 or health facility, as a part time employee, and re-  
 2 lease times or flexible schedules to accommodate the  
 3 individuals' class schedules; and

4 “(4) upon completion of the program, an indi-  
 5 vidual agrees to teach for 2 years in an accredited  
 6 school of nursing for each year of support the indi-  
 7 vidual received under this program.

8 **“SEC. 784. AUTHORIZATION OF APPROPRIATIONS.**

9 “There are authorized to be appropriated for this  
 10 part not more than \$10,000,000 for fiscal year 2008 and  
 11 such sums as may be necessary for each of the 4 suc-  
 12 ceeding fiscal years.

13 **“SEC. 785. DEFINITION.**

14 “For purposes of this part, the term ‘health facility’  
 15 means an Indian Health Service health service center, a  
 16 Native Hawaiian health center, a hospital, a Federally  
 17 qualified health center, a rural health clinic, a nursing  
 18 home, a home health agency, a hospice program, a public  
 19 health clinic, a State or local department of public health,  
 20 a skilled nursing facility, or ambulatory surgical center.”.

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